

**Design Build No 10 2007 2008
8-261.20 and 11-279.10
McCreary and Whitley County
KY 92 Widen and Relocation
Pre-Submittal Meeting Minutes
6-26-07**

Attendees:

Bob Farley	KYTC-Design	502-564-3280
Joel Holcomb	KYTC-D11 Precon	606-598-2145
Josh Callihan	KYTC-D11 Const	606-598-2145
Danny Jasper	KYTC-Const	502-564-4780
Sherrill Smith	QK4	502-584-2222
David Jones	Bizzack	859-299-8001
Peter Overmule	AEI	270-651-7220
Gary Sharpe	Palmer	859-744-1218
Lee Anderson	Elmo Greer	606-843-6136
Glenn Hardin	ENTRAN	859-233-2100
Lester Wimpy	Bizzack	859-299-8001
Quentin Smith	KYTC-D11 Design	606-598-2145
Kevin Delp	HDR/Quest	859-223-3755
Joe Cochran	HDR/Quest	859-223-3755
Bobby Ballard	Hinkle	859-263-7558
Dennis Mitchell	AEI	270-651-7220
Cory Underwood	AEI	270-651-7220
Dale Gifford	Elmo Greer	606-843-6136
David Beattie	KYTC-D8 Precon	606-677-4017
Greg Eastham	KYTC-D8 Design	606-677-4017
Rob Martin	KYTC-Proj Dev	502-564-3730

Pre-Submittal meeting Discussion Points

Proposals will be due September 21, 2007 for this project.

Project Description-Widen\Relocate KY 92 from west of KY 592 to the Whitley County line (MP 21.512 to MP 25.737), then continue east from the County line to approximately Corn Bread Branch (MP 0.00 to MP 4.4)

Project Manager: Joey Mosely P.E.

Project Overview: The plans provided today are considered to be at the “plans in hand” stage for McCreary County and the “Right Of Way Stage” for Whitley County in the plan development process. Hopefully, KYTC is providing all the information needed to complete the design of the project to the point that the DBT is prepared to submit a bid. However, if it appears that some additional information may exist that you believe would be beneficial, please contact us as soon as possible and we will try and get it for you.

Geotechnical Items: As can be seen from the Scope, KYTC has done some Geotechnical work and that information is included on the Project CD’s. This is being provided as “information only”. The DBT is responsible for evaluating the current Geotechnical information that is available and determining what additional work is needed for this project in order to complete the design and prepare a bid. As with any project, the cores that were taken are available for review at the Geotechnical Branch Office in Frankfort. The DBT must draw their own conclusions regarding whether sufficient numbers of cores and the locations are adequate to meet your needs.

Traffic Forecast: The Traffic Forecast Report is included on one of the Project CD’s. The design work submitted for the project shall include a review of the layout for the various intersections from a capacity standpoint as well as a final geometric layout showing turn lane lengths etc. to support the proposed designs. Also as a part of the design component, KYTC requires that the DBT review and make recommendations regarding the need for truck climbing lanes for the project.

1) Components of your bid: The bid for the project shall be composed of two (2) “all inclusive” lump sum bids item that include all design, construction, and services outlined in the Scope of Services document. KYTC requires that a separate bid be prepared for the work in each county. Let me say this, “we are not infallible!” As your designs progress, if it becomes obvious that we have not adequately addressed a critical element in our scope of services document, please bring it to our attention via a question to Mr. Waddle.

As can be seen in Sect 8 of the document:

- 1) Design
- 2) Right of Way acquisition services
- 3) Utility Relocation services
- 4) Grade and Drain
- 5) Asphalt paving
- 6) Structures
- 7) Environmental
- 8) Traffic Signs

We require that a breakdown for each of these elements be included in your submittal. The sum of these components should equal your "all inclusive" one lump sum bid item provided for each county. As can be seen from the Scope of Services, a \$46,000 dollar stipend will be paid to the losing teams. In order to receive this stipend, the bid proposal submitted must be considered "responsive" by the Awards Committee. At a minimum, "Responsive" for this project must include the cost breakdown (including all elements listed in Sect 8) and the comprehensive critical path schedules requested for Right of Way acquisition and Utility Relocations. Please note that KYTC will require a 3% Demobilization amount for the contract. KYTC will also require a 5% bid bond.

This is worth **50%** of your score with the Awards Committee.

2) Project Schedule and Capacity: Section 11, 12, 17, and 19 covers the elements of project schedule that must be supplied. This project is one of the first Design Build Projects that KYTC will try to utilize a more "flexible" approach to the Right of Way and Utility phases of the project. The schedule to be provided by the DBT will be a combination Calendar Day \Work Day approach. The Calendar Day portion shall apply to the Right of Way and Utility phases. The Work Days shall apply to the Construction phase. As can be seen in sections 11 and 12, KYTC requires that the DBT provide a critical path schedule for the Right of Way process and the Utility Relocation process such that each clearly defines the DBT's intended schedule for how to proceed with purchasing Right of Way and the relocation of Utilities. The DBT shall be required to define each step needed and the time frame required such that the process, using the items listed in the Scope of Services, is clearly defined. As can be seen from the items to be provided in the Critical Path schedule, when certain events occur, such as condemnation suits or relocations, KYTC will be able to revise the project schedule using information provided by the DBT as a part of the bid. It is the intent is to allow the DBT to present the most efficient methods they can to provide the right of way and utility relocation services, with the understanding that under certain parameters, the project schedule will be adjusted using time frames provided by the DBT and KYTC. The objective of the Calendar Day phases is to get to the point that Work Days (or construction) can begin. Once the calendar days, with approved extensions by KYTC, expire, KYTC will begin to charge work days in accordance with the Specifications. Please be advised that at this point, Right of Way and Utility Relocations will no longer be considered a controlling operation for the project. The DBT must provide a total number of Work Days needed to complete construction of the project. It is acceptable to prepare one project schedule (KYTC does not require that this be broken out by county)

From a buildable unit standpoint, if Right of Way and Utilities can be cleared for a prospective section of the project, KYTC will consider approval of this as a buildable unit. The DBT must provide the number of work days needed to complete the buildable unit to the point it is no longer on the critical path for the project. This "point of completeness" must be clearly defined by the DBT and approved by KYTC prior to beginning work on the buildable unit.

We also require that a list of current project commitments by members of your DBT also

be included. Evaluation of Project Schedule and Capacity will make up **30%** of your score.

3) Innovation and Project Management: The features this will address are covered in section 17.2. This is worth the final **20%** of your score.

KYTC will prepare our own cost estimate for each of the submittals for evaluation and acceptance purposes.

4) Project Permit Status: KYTC has taken steps to expedite the permit process for this project. KYTC applied for an Individual Permit for this project in May 16, 2007. KYTC anticipates that the approval for the permit will be in May 16, 2008. Please be advised that KYTC will pay any fees associated with the permits for the project as presented in the plans today. However, should the DBT elect to make changes to the design such that the permit must be amended, the DBT shall be responsible for getting the permit amended and the payment of any additional costs associated with the change. Please note that the DBT must address these elements as a part of the project schedule.

Please see section 10 and Appendix C for a more detailed explanation. Appendix C contains information the DBT may find useful in determining the status and potential “future requirements \ mitigation” that may become part of the approved permit as well as special requirements for work in the area of the Marsh Creek watershed. The Marsh Creek watershed is designated a “outstanding” water resource by USACE and the KY DOW and will require special efforts to eliminate\mitigate any impacts due to construction of the roadway. As a part of the permit process, KYTC has scheduled “biological assessment” for this summer to check for the presence of “gray bats”. Also, please review the “Special Note” for requirements regarding temporary erosion control and the BMP.

Danny Jasper with KYTC offered additional information regarding potential changes in the KPDES permit process that are scheduled to take affect latter this year. It is thought that this should expedite the “NOI” process. When additional information becomes available, it will be provided to the DBT’s.

5) Utilities: Mandatory Utility meeting will be scheduled soon. KYTC will advise of the date as soon as possible. Representatives of the DBT’s , KYTC, and the respective utility companies will be present to discuss the project. Please hold any in depth utility questions until then. In general, the Awards Committee will look at efforts to enhance\expedite the project Utility Relocation Schedule in a very favorable light. Innovative approaches to minimize and avoid utility relocations will also be considered very favorably. Your final submittal must include a separate estimate of utility relocation costs for your project design. Since the plans are at such a late stage of development, KYTC is hopeful that the estimates submitted should be very accurate.

6) Design Requirements: Please note that no design exceptions are expected to be

needed for this project. Should the DBT decide to request a design exception for a particular item, this must be submitted, in writing to Mr. Waddle, no less than 21 days prior to the date the submittals are due.(August 30, 2007) This process is further explained in Sect 14.7.

Please review section 14.10. From a bidding standpoint, KYTC requires that a base bid be prepared in reasonable conformance with the plans as presented. However, as a “value added” component, the DBT is free to make suggestions on improvements to the plans and provide details regarding any savings, benefits etc that these suggested enhancements might provide for KYTC’s consideration. Again, should any changes suggested by the DBT be implemented for the project, it shall be the responsibility of the DBT to coordinate\amend the permits that have been submitted and pay any additional “in-lieu” fees that may result

7) A drainage folder will be required for this project. Pre-fabricated drainage structures can be used on this project, but are not required. Please note that work in the Marsh Creek watershed shall require the use of KYTC’s “Karst Policy”. Among other items, the drainage system for the bridge over Marsh Creek must be “contained” and ran through a detention basin and “grass lined” ditches prior to allowing the runoff into the watershed.

8) The Pavement Design for this project is still pending approval. This will be provided as soon as it is available. A pavement design is shown in the typical sections for the plans, but this is expected to change.

Questions:

1) The handout at the meeting indicated that KYTC would provide the legal services for any suits required in the Right of Way process. Is this correct?

No. This was an error in the handout. Please see section 11 of the Scope of Services. The DBT shall be responsible for providing all legal services required should it be necessary to file a condemnation suit. Due to the uncertainty in the number of condemnation suits that may be necessary, KYTC shall post the following “Addendum” to the Scope of Services:

Contrary to Section 8 and Section 11 of the Scope of Services, KYTC requires that the DBT provide an additional bid item to be utilized in conjunction with the one lump sum “all inclusive” bid for each county. The bid item to be provided shall be:

Description	Unit	Quantity
Legal Services- Condemnation Suit	Each	1

The purpose of this bid item is to establish a cost for all legal services required as a part of a condemnation suit. As detailed in Section 11, the DBT will provide all items and services required to obtain an "interrogatory judgment" or "IOJ" and the subsequent "right of entry" for the parcel in question. All "relocation" services of a property owner that may be required as a part of the project shall be incidental to the one lump sum "all inclusive" bid. The DBT shall be compensated "one" each for suit that must be filed for the project. The intent of this approach is to minimize the risk to the DBT due to the uncertainty in the number of suits that may be required for this project.

2) Will KYTC provide all information regarding environmental work done for the project? At the next meeting, will KYTC provide an update in regards to the permit status for the project?

Yes The FONSI as well as the USACE permit application are included in the information already provided. KYTC will review files and gather other information that may of benefit in this area. Representatives of KYTC DEA will be available to answer questions and provide an update to the permit status at the next project meeting.

3) KYTC stated that a "base bid" must be submitted that is in reasonable conformance with the plans as presented. Please offer additional information in regards to the definition of "reasonable conformance".

KYTC has provided plans that are at the latter stages of project development. In general, minor adjustments to horizontal alignment and vertical grades that did not change the Right of Way or cause the permit to be amended would be considered "reasonable." Examples of the "value added" components would be changes that did increase Right of Way (or reduced Right of Way), changes to the stream impacts such that the permits would need to be amended, changes to the "clear zone" provided, changes to length of truck lanes provided etc. In an effort allow the most flexibility for the DBT, questions may be submitted to Steve Waddle requesting a "ruling" in this regard. For this type of question, KYTC will treat this as confidential and not post the information to the web. However, if such a question does involve a "design exception", KYTC will post this to the web with the appropriate approvals.